

AMENDED IN ASSEMBLY FEBRUARY 22, 2016

SENATE BILL

No. 93

**Introduced by ~~Committee on Budget and Fiscal Review~~ Senators
De León and Lara**
(Principal coauthors: Assembly Members Cristina Garcia, Gomez,
Rendon, and Santiago)

January 9, 2015

~~An act relating to the Budget Act of 2015.~~ *An act to amend the Budget Act of 2015 by amending Item 3960-001-0557 of Section 2.00 of that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.*

LEGISLATIVE COUNSEL'S DIGEST

SB 93, as amended, ~~Committee on Budget and Fiscal Review~~ *De León*. Budget Act of 2015.

The Budget Act of 2015 appropriated \$55,136,000 from the Toxic Substances Control Account to the Department of Toxic Substances Control for support of the department.

This bill would increase this appropriation by \$176,600,000 to \$231,736,000. The bill would require this increase to be used for costs related to the cleanup and testing of contaminated properties in the communities surrounding the Exide Technologies facility in the City of Vernon. The bill would require the Director of Finance to make a loan of \$176,600,000 from the General Fund to the account and would require all funds received through cost recovery efforts from responsible parties associated with the hazardous substance contamination in communities surrounding the Exide Technologies facility in the City of Vernon to be used to repay the loan.

This bill would declare that it is to take effect immediately as a Budget Bill.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2015.~~

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Item 3960-001-0557 of Section 2.00 of the Budget*
2 *Act of 2015 is amended to read:*

3
4 3960-001-0557—For support of Department of Toxic Sub-
5 stances Control, payable from the Toxic Substances Con-
6 trol Account..... 55,136,000
7 231,736,000

8 Schedule:

9 (1) 3620011-Other Site Mitigation Activi-
10 ties..... 49,441,000
11 (2) 3630-Safer Consumer Products..... 13,946,000
12 (2.1) 3625-Hazardous Waste Manage-
13 ment..... 3,326,000
14 (2.5) 9900100-Administration..... 204,000
15 (2.6) 9900200-Administration —Distribut-
16 ed..... -204,000
17 (3) Reimbursements to 3620011-Other Site
18 Mitigation Activities..... -11,433,000
19 (4) Reimbursements to 3630-Safer Con-
20 sumer Products..... -144,000
21 (5) *Exide Technologies facility contamina-*
22 *tion cleanup* 176,600,000

23 Provisions:

24 1. The amount appropriated in this item includes revenues
25 derived from the assessment of fines and penalties
26 imposed as specified in Section 13332.18 of the Gov-
27 ernment Code.
28 2. The amount appropriated in this item includes state
29 oversight costs at military installations. The expendi-
30 ture of these funds shall not relieve the federal govern-
31 ment of the responsibility to pay for all state oversight

costs. The Department of Toxic Substances Control shall take all steps necessary to recover these costs from the federal government, including, but not limited to, filing civil actions authorized by state and federal law.

3. *The funds appropriated in Schedule (5) shall be used for costs related to the cleanup and testing of contaminated properties in the communities surrounding the Exide Technologies facility in the City of Vernon.*

4. *The Director of Finance shall make a loan of \$176,600,000 from the General Fund to the Toxic Substances Control Account, consistent with the following:*

(a) *All funds received through cost recovery efforts from responsible parties associated with the hazardous substance contamination in communities surrounding the Exide Technologies facility in the City of Vernon shall be used to repay the loan.*

(b) *To the extent the amount of moneys received from the cost recovery efforts is insufficient to fully repay the loan, the Director of Finance may forgive any remaining balance, if, at least 90 days before forgiving any balance, the Director of Finance submits a notice and report of that action to the Joint Legislative Budget Committee.*

SEC. 2. This act is a Budget Bill within the meaning of subdivision (c) of Section 12 of Article IV of the California Constitution and shall take effect immediately.

~~SECTION 1. It is the intent of the Legislature to enact statutory changes relating to the Budget Act of 2015.~~